

**SPECIAL TOWN MEETING
TOWN OF MONTAGUE
COMMONWEALTH OF MASSACHUSETTS
October 13, 2020**

MOTIONS

ARTICLE 1. MOVED: That the Town vote to amend the vote taken under Article #6 of the June 13, 2020 Annual Town Meeting, which appropriated \$10,481,863 for the maintenance of the several departments of the Town, said sums to be allocated in accordance with Schedule III, Budget, by reducing the amount to be raised by \$109,000, so that the total amount raised is reduced from \$10,481,863 to \$10,372,863; with \$47.30 to be raised from Transportation Infrastructure Fund Receipts Reserved for Appropriation and \$10,372,815.70 to be raised from Taxation, and to amend **Schedule III: Town Operating Budget** as shown on the **Revised Schedule III: Town Operating Budget**, set forth below.

Revised Schedule III: Town Operating Budget

Dept. #		Article #6 06/13/20 FY21	Revised FY21
	GENERAL GOVERNMENT		
151	Town Counsel	90,000	80,000
155	Information Technology	58,100	62,100
159	Shared Costs	72,759	74,759
190	Public Bldg Utilities	141,320	106,320
	HUMAN SERVICES		
543	Veterans' Services	98,400	88,400
	MISCELLANEOUS		
910	Employee Benefits	2,298,057	2,238,057
Total Town Operating Budget		10,481,863	10,372,863

ARTICLE 2: MOVED: That the Town vote to appropriate the sum of \$50,000 for the purpose of replacing the Council on Aging roof and any other necessary exterior repairs, including any and all incidental and related costs, said sum to be raised from Free Cash.
(Council on Aging Request)

ARTICLE 3: MOVED: That the Town vote to appropriate the sum of \$5,000 for the purpose of hiring professionals to survey the parcels comprising Montague Center Park in support of its future redevelopment or use, and any incidental or related costs, said sum to be raised from Free Cash.

(Parks & Recreation Commission Request)

ARTICLE 4: MOVED: That the Town vote to appropriate the sum of \$4,000 for the purpose of making necessary improvements to the Shea Theater fire protection system, and any incidental or related costs, said sum to be raised from Free Cash.

(DPW Request)

ARTICLE 5: MOVED: That the Town vote to appropriate the sum of \$820.49 which represents the net premium paid to the Town upon the sale of the Town's \$5,785,000 DPW Facility Bonds dated January 22, 2020, to pay costs of the DPW facility authorized by the vote of the Town passed March 29, 2018, and to reduce the amount authorized to be borrowed for such project by such amount, as set forth in M.G.L. c. 44, §20 or any other applicable law, said sum to be raised from Fund Balance Reserved for Excluded Debt.

(Accountant Request)

ARTICLE 6: MOVED: That the Town vote to appropriate the sum of \$12,500 for the purpose of purchasing and installing cable related equipment for MCTV and any incidental or related costs, said sum to be raised from PEG Access Funds Receipts Reserved for Appropriation.

(Selectboard Request)

ARTICLE 7: MOVED: That the Town vote to appropriate the following sums for the purpose of increasing the special purpose funds set forth below with \$232,951 to be raised from Taxation and \$254,000 to be raised from Free Cash.

Fund	Taxation (\$)	Free Cash (\$)	Total (\$)
Town General Stabilization	61,507		61,507
Town Capital Stabilization	82,259	118,000	200,259
OPEB Trust Fund	50,000	68,000	118,000
GMRSD Stabilization	39,185		39,185
FCTS Stabilization		68,000	68,000
Total	232,951	254,000	486,951

(Finance Committee Request)

ARTICLE 8. MOVED: That the Town vote to transfer from Free Cash the sum of \$73,652 to the Town Capital Stabilization Fund, said sum representing the approximate amount collected by the Town from the assessment of the cannabis retail sales tax during fiscal year 2020; and to transfer from Free Cash the sum of \$35,791 to the Town Cannabis Impact Fee Stabilization Fund, said sum representing the approximate amount collected by the Town from the assessment of cannabis impact fees during fiscal year 2020.

(Finance Committee Request)

ARTICLE 9. MOVED: That the Town vote to appropriate the sum of \$50,000 for the purpose of increasing the Fiscal Year 2021 Reserve Fund budget, said sum to be raised from Free Cash.

(Finance Committee Request)

ARTICLE 10. MOVED: That the Town vote to appropriate the sum of \$82,000 for the purpose of obtaining engineering, design, permitting, bidding, oversight and construction services related to the capping of the former Montague Burn Dump, and any incidental or related costs, with \$32,000 to be raised from Free Cash and \$50,000 to be raised from Town Capital Stabilization.

(Selectboard Request)

ARTICLE 11: MOVED: That the Town vote to appropriate the sum of \$39.90 for the purpose of paying a prior year bill of the Board of Health, said sum to be raised from Free Cash.

(BOH Request)

ARTICLE 12. MOVED: That the Town vote to authorize the Selectboard to petition the General Court for special legislation to change the date of the Annual Town Election from the third Monday in May of each year to the third Tuesday in May each year, as specified in Article 12 of the Warrant.

The petition for special legislation shall take the following form; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition.

AN ACT RELATIVE TO THE DATE FOR THE ANNUAL TOWN ELECTION IN THE
TOWN OF MONTAGUE

*Be it enacted by the Senate and House of Representatives in the General Court
assembled, and by the authority of the same as follows:*

SECTION 1. Section 1 of Chapter 9 of the Acts of 1974 is hereby amended by striking the word "Monday" in the first sentence and replacing it with the word "Tuesday".

SECTION 2. This act shall take effect upon passage.
(Town Clerk Request)

ARTICLE 13. MOVED: That the Town vote to amend Section 2 from the Town's General Bylaws, relative to the date of the Annual Town Election, as show below, provided, however, that any amendments approved pursuant to this article shall not take effect unless and until the Legislature enacts amendments to Chapter 9 of the Acts of 1974 relative to the date of the Annual Town Election, as set forth in Article 12 of the Warrant for this Town Meeting.

The bylaw amendment will strike section 2 of the Town's General Bylaws, which currently reads as follows:

ANNUAL AND SPECIAL MEETINGS

Section 2: The annual meeting for the election of Town officers required by law to be elected by ballot shall be held on the first Monday in March of each year. *(This section was rescinded at a Special Town Meeting on 11/15/1973, by the following act passed by the General Court on February 22, 1974.)

Chapter 9, Acts of 1974, "An act relative to the dates of the Annual Town Election and Town Meeting held in the Town of Montague". Be it enacted as follows: Notwithstanding the provisions of any general or special law or by-law of the Town of Montague to the contrary, said Town shall hold the Annual Town Meeting for the election of Town officers and the determination of such matters as by law or vote of the Town are required to be elected or determined by official ballot on the third Monday in May of each year. All other business shall be considered at a meeting to be held on the first Saturday of May of each year. Separate warrants may be posted for said election and business meetings.

And replace it with the following:

ANNUAL AND SPECIAL MEETINGS

Section 2: Notwithstanding the provisions of any general or special law or by-law of the Town of Montague to the contrary, said Town shall hold the Annual Town Meeting for the election of Town officers and the determination of such matters as by law or vote of the Town are required to be elected or determined by official ballot on the third Tuesday in May of each year. All other business shall be considered at a meeting to be held on the first Saturday of May of each year. Separate warrants may be posted for said election and business meetings.

(Town Clerk Request)

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ARTICLE 14. MOVED: That the Town vote to authorize the Selectboard to take the actions to obtain and relinquish certain rights and easements, as specified in Article 14 of the Warrant, in connection with the construction of a new 5th Street Pedestrian Bridge, with all of the rights and easements to be acquired on such terms and conditions as determined by the Selectboard to be in the best interests of the Town, and further to authorize the Selectboard to accept all grants and funding to accomplish the purposes of this vote, to negotiate any and all agreements as may be necessary or convenient to accomplish the purposes of this vote, and to execute any and all documents to carry out the purposes of this vote.

(1) acquire an easement, approximately 16' in width, across the FirstLight Canal, for the placement of a new 5th Street pedestrian bridge, said bridge to be located southerly of the existing 5th Street vehicular bridge and the 1880 County Layout, as well as such easements at the eastern and western termini of the new pedestrian bridge as may be needed for access thereto, including wheelchair and other ADA-compliant access infrastructure, all as shown on a plan entitled "5th Street Pedestrian Bridge and Intersection Improvements Montague, MA," prepared by McMahon Associates, Inc., a copy of which plan is on file with the Town Clerk;

(2) acquire temporary construction easements at or near the site of the new 5th Street pedestrian bridge, including for access and related purposes in order to construct said bridge;

(3) relinquish such rights the Town may have for the installation and maintenance of utilities, located across, upon and under the Strathmore pedestrian bridge, serving 20 Canal Road, and, in exchange therefor, obtain an easement for utilities, including, but not limited to, water and sewer, as deemed necessary and convenient, across, upon and under the new 5th Street pedestrian bridge;

(4) acquire an easement, to pass and repass, for vehicular and pedestrian traffic, and for utilities, commencing at or near the western terminus of the new 5th Street pedestrian bridge, in a northeasterly direction, along Canal Road to and across the so-called IP bridge;

(5) acquire easements at or near the location of the existing Strathmore pedestrian bridge, for the purpose of installing, constructing, operating, maintaining, repairing and replacing a bridge, for vehicular and pedestrian traffic;

all of the foregoing rights and easements to be acquired on such terms and conditions as determined by the Selectboard to be in the best interests of the Town; to authorize the Selectboard to accept all grants and funding to accomplish the foregoing; and, further, to negotiate and execute any and all agreements as may be necessary or convenient to accomplish the purposes of this Article.

(Selectboard Request)